

companying the device were false and misleading. The name and the statements represented and suggested that use of the device was effective to rid the air of disease organisms and to prevent colds, mumps, influenza, whooping cough, polio, measles, scarlet fever, tuberculosis, and all airborne diseases. The device was not effective for such purposes.

DISPOSITION: June 30, 1953. Lee Products Co., Inc., claimant, having consented to the entry of a decree, judgment of condemnation was entered and the court ordered that the device be released under bond for relabeling under the supervision of the Department of Health, Education, and Welfare.

4039. Misbranding of Pur Ozone Generator device. U. S. v. 10 Devices, etc.
(F. D. C. No. 34122. Sample No. 19641-L.)

LABEL FILED: November 12, 1952, District of North Dakota.

ALLEGED SHIPMENT: On or about September 19, 1952, by the Purozone Co., from Brea, Calif.

PRODUCT: 10 *Pur Ozone Generator devices* at Harvey, N. Dak., in the possession of H. C. Wagner, trading as the Purozone Co., together with a number of pamphlets entitled "Ozone Therapy by O. M. Justice, M. D." and "Bulletin No. 11 Ozone The Breath of Life" and a number of books entitled "Ozone God's Gift to Humanity No. 2 Lecture" and "Ozone God's Gift to Humanity No. 3 Lecture." The pamphlets entitled "Bulletin No. 11 Ozone The Breath of Life" had been printed locally for the consignee, and the other literature was shipped to the consignee by Dr. J. E. Effenberg, of Calozone, Inc., from Turlock, Calif.

The device consisted essentially of glass tubes that would glow and cause the formation of ozone in the surrounding air when the electrical attachments were connected with a suitable electric current. The consignee had assembled and labeled the devices with a metal plate.

LABEL, IN PART: (Metal plate) "Pur Ozone Registered Ozone Generator 110-120 Volts 10-40 Watts A. C. Purozone Company H. C. Wagner—Harvey, N. D."

NATURE OF CHARGE: Misbranding, Section 502 (a), certain statements in the above-mentioned pamphlets and books accompanying the device were false and misleading. The statements represented and suggested that the device would assist health, prevent disease, and act as a specific in many diseases; and that it would be effective for adenitis, swelling of the breasts, angina pectoris, alopecia, falling of the hair, arthritis, asthma, arteriosclerosis, backache, biliousness, bronchitis, bursitis, colitis, colds, sore chest, constipation, dandruff, deafness, erysipelas, earache, eczema, high blood pressure, indigestion, jaundice, leucorrhea, mumps, nervousness, pleurisy, prostate trouble, pneumonia, pelvic disturbances, psoriasis, quinsy, sore throat, rheumatism, rectal disturbances, sleeplessness, sinus trouble, tuberculosis, varicose veins, wrinkles, infections and diseases of body cavities and passages, chlorosis, anemia, nervous prostration, chronic nasopharyngeal catarrh, whooping cough (pertussis), diphtheria, scarlet fever, pernicious anemia, cardiovascular and renal diseases, insomnia, hay fever, dyspepsia, headaches, inactive liver and kidneys, syphilis, rheumatism of gonococcal origin, destruction of microbic diseases in human beings, fistula, influenza, osteomyelitis, "and many other ailments." The device was not capable of fulfilling the promises of bene-

fit made for it, and it would not be effective for the diseases and conditions stated and implied. The device was misbranded while held for sale after shipment in interstate commerce.

DISPOSITION: May 8, 1953. Default decree of condemnation. The court ordered that the generator or transformer of the device be turned over to the Department of Physics of the North Dakota State College and that the remainder of the device be destroyed.

4040. Misbranding of Calozone (also known as Vitozone) device. U. S. v. 3 Devices, etc. (F. D. C. No. 34164. Sample No. 2256-L.)

LIBEL FILED: December 16, 1952, Southern District of Florida.

ALLEGED SHIPMENT: About May 1952, John I. Crowder, Artesia, Fla., transported 1 device from the State of California to Artesia, Fla. Subsequently 2 more devices were shipped to John I. Crowder from the State of California.

PRODUCT: 1 device known alternatively as "Calozone" and "Vitozone" and a booklet entitled "Ozone Therapy by O. M. Justice, M. D.," at Artesia, Fla., and 1 device at Merritt Island, Fla., and 1 at Cocoa, Fla.

Examination showed that the device consisted essentially of a group of tubes, which, when activated by an electric current, fluoresced with production of ozone in the surrounding air.

NATURE OF CHARGE: Misbranding, Section 502 (a), the labeling of the device, namely, the above-mentioned booklet, contained statements which were false and misleading. These statements represented and suggested that the device would prevent disease and act as a specific in many diseases, and that it was effective in the treatment of adenitis, swelling of the breasts, angina pectoris, alopecia, falling of the hair, arthritis, asthma, arteriosclerosis, backache, biliousness, bronchitis, bursitis, colitis, colds, sore chest, constipation, dandruff, deafness, erysipelas, earache, eczema, high blood pressure, indigestion, jaundice, leucorrhea, mumps, nervousness, pleurisy, prostate trouble, pneumonia, pelvic disturbances, psoriasis, quinsy, sore throat, rheumatism, rectal disturbances, sleeplessness, sinus trouble, tuberculosis, varicose veins, and wrinkles. The device was not effective for such purposes, and it was not effective in the treatment of such conditions.

DISPOSITION: January 22 and February 12, 1953. No claim having been made for the device located at Artesia, Fla., which was the only device seized, judgment of condemnation was entered. The court ordered that the device be delivered to the Food and Drug Administration for experimental use.

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PRODUCTS

	N. J. No.		N. J. No.
Acetylsalicylic acid tablets-----	4021	Arthritis, remedy for. <i>See</i> Rheumatism, remedy for.	
Airborne Bacteria Control Unit, Silver-King-----	4037	Aspergum-----	4035
Amphetamine sulfate tablets----	4024	Bursitis, remedy for. <i>See</i> Rheumatism, remedy for.	
dextro-, sulfate tablets----	4022, 4024		
Androgenic substance-----	4022	Calozone (or Vitozone) device--	4040